

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
WICHITA FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

STATE OF TEXAS,

Defendant.

§
§
§
§
§
§
§
§
§
§

CIVIL NO. 7:25-cv-00055-O

**PROPOSED INTERVENORS LA UNIÓN DEL PUEBLO ENTERO,
AUSTIN COMMUNITY COLLEGE, AND OSCAR SILVA’S
REQUEST FOR STATUS CONFERENCE**

Proposed Intervenor La Unión del Pueblo Entero (“LUPE”), Austin Community College (“ACC”), and Oscar Silva (collectively, “Proposed Intervenor”) request a status conference to discuss the status of Proposed Intervenor’s pending Emergency Motion to Intervene (Dkt. No. 16), as well as Proposed Intervenor’s currently stayed Emergency Motion to Vacate (Dkt. No. 17) and Emergency Motion to Stay (Dkt. No. 18).

As outlined previously in the Emergency Motions, Proposed Intervenor and thousands of Texas students face rapidly approaching, irreparable harm. Across the State, the fall 2025 semester is set to begin in a matter of weeks. For example, ACC’s fall 2025 semester begins August 25, 2025, less than three weeks from the date of filing this request. *See* ACC Academic Calendar, available at <https://students.austincc.edu/calendars/academic-calendar/>. Without an expeditious ruling on the Emergency Motions, the Court’s June 4, 2025, Consent Order—obtained through collusion between the United States and Texas—will cause significant harm to institutions like Proposed Intervenor ACC, by reducing enrollment, retention, and revenue, and to students like

Proposed Intervenor Silva by forcing them to make potentially life-altering financial and educational decisions. Indeed, Silva's revised tuition bill is expected on August 14, 2025, fewer than ten days from the filing of this request. Dkt. No. 19, App. 137 (Ex 15, Decl. of Oscar Silva).

Emerging procedural issues warrant a status conference as well. On August 4, 2025, Proposed Intervenor, along with Students for Affordable Tuition ("SAT"), each filed Protective Notices of Appeal. *See* Dkt. Nos. 80, 81. As discussed in SAT's Advisory to the Court Regarding Notice of Appeal Deadline (Dkt. No. 75), which Proposed Intervenor joined (Dkt. No. 79), the deadline for the parties to file an appeal (including Proposed Intervenor) would have been August 4, 2025. Proposed Intervenor timely filed Rule 59 and 60 motions to toll the deadline for all parties to file an appeal, Fed. R. App. P. 4(a)(4)(A). Should the Court grant their motion to intervene, making them parties to this case, their notice of appeal will become effective upon disposition of these motions, *id.* R. 4(a)(4)(B)(i). Because the Court has not ruled on any of the intervening parties' Motions, however, SAT sought an extension of the original deadline; seeking to further evade meaningful judicial review, the United States and Texas both opposed. *See* Dkt. Nos. 77, 78.

Given the mounting procedural issues and rapidly approaching fall 2025 semester, Proposed Intervenor seek clarity on the status of (1) the pending Emergency Motions; (2) the requested appellate deadline extension; and (3) the Protective Notices of Appeal filed by SAT and Proposed Intervenor, respectively (Dkt. Nos. 80, 81). Proposed Intervenor therefore seek a status conference with the Court on the earliest available date. Proposed Intervenor further respectfully request that the Court grant their Motion to Intervene, set an expedited briefing schedule for their Emergency Motion to Vacate and Emergency Motion to Stay, and rule on those Motions by August 25, 2025.

Dated: August 6, 2025

Respectfully submitted,

/s/ Andrés Correa

Andrés Correa

Texas Bar No. 24076330

acorrea@lynnllp.com

Christopher Patton

Texas Bar No. 24083634

cpatton@lynnllp.com

Yaman Desai

Texas Bar No. 24101695

ydesai@lynnllp.com

Kyle A. Gardner

Texas State Bar No. 24116412

kgardner@lynnllp.com

Zhenmian Xu

Texas Bar No. 24135820

sxu@lynnllp.com

LYNN PINKER HURST &

SCHWEGMANN, LLP

2100 Ross Avenue, Suite 2700

Dallas, Texas 75201

(214) 981-3800 Telephone

(214) 981-3839 Facsimile

Kassandra Gonzalez (*pro hac vice*)

Texas Bar No. 24116439

kassandra@texascivilrightsproject.org

Molly Petchenik

Texas Bar No. 24134321

molly@texascivilrightsproject.org

Daniel Woodward (*pro hac vice*)

Texas Bar No. 24138347

danny@texascivilrightsproject.org

Zachary Dolling

zachary@texascivilrightsproject.org

Texas Bar No. 24105809

TEXAS CIVIL RIGHTS PROJECT

P.O. Box 17757

Austin, TX 78760

(512) 474-5073 ext. 182 Telephone

(512) 474-0726 Facsimile

Daniel Hatoum (*pro hac vice*)

Texas Bar No. 24099136

daniel@texascivilrightsproject.org

TEXAS CIVIL RIGHTS PROJECT
1017 W. Hackberry Ave.
Alamo, TX 78516
(512) 474-5073 ext. 182 Telephone
(512) 474-0726 Facsimile

Efrén C. Olivares
Texas Bar No. 24065844
Federal Bar No. 1015826
olivares@nilc.org
NATIONAL IMMIGRATION LAW CENTER
P.O. Box 34573
Washington, DC 20005-9997
(213) 674-2817 Telephone

David Donatti
Texas Bar No. 24097612
Adriana Pinon
Texas Bar No. 24089768
Edgar Saldivar
Texas Bar No. 24038188
Sarah Corning
Texas Bar No. 24144442
ACLU FOUNDATION OF TEXAS
P.O. Box 8306
Houston, TX 77288
(713) 942-8146
ddonatti@aclutx.org
apinon@aclutx.org
esaldivar@aclutx.org
scorning@aclutx.org

Joshua M. Salzman (*pro hac vice*)
D.C. Bar No. 982239
jsalzman@democracyforward.org
Brian D. Netter (*pro hac vice*)
D.C. Bar No. 979362
bnetter@democracyforward.org
Paul R.Q. Wolfson (*pro hac vice*)
D.C. Bar No. 414759
pwolfson@democracyforward.org
Skye L. Perryman (*pro hac vice*)
Texas Bar No. 24060411
sperryman@democracyforward.org
Simon C. Brewer (*pro hac vice*)*

CT Bar No. 441889
sbrewer@democracyforward.org
DEMOCRACY FORWARD FOUNDATION
P.O. Box 34553
Washington, D.C. 20043
Tel: (202) 448-9090

*Not admitted to practice law in the District of Columbia; practicing under the supervision of Democracy Forward lawyers who are members of the DC Bar.

**ATTORNEYS FOR PROPOSED
INTERVENORS LA UNIÓN DEL
PUEBLO ENTERO, AUSTIN
COMMUNITY COLLEGE, AND
OSCAR SILVA**

CERTIFICATE OF SERVICE

I hereby certify that on August 6, 2025, a true and correct copy of the foregoing document was electronically filed via the Court's CM/ECF system which sends notice of electronic filing to all counsel of record.

/s/ Andrés Correa
Andrés Correa